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The Hilo Tribune.

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and Notary Public in Office.

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and Returns Promptly Made.

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(English and Hawaiian)

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ESTABLISHED 1888.

BISHOP & CO.

Bankers.

HONOLULU - OAHU, H. I.

Transact a General Banking and Ex-
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Commercial and Traveller's Letters of
Credit issued, available in all the principal
cities of the world.

Special attention given to the business
entrusted to us by our friends of the other
Islands, either as Deposits, Collections
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FURNISHED ROOMS

BY DAY, WEEK OR MONTH.
Neat and newly fitted. Centrally and
pleasantly located on

PITMAN STREET

NEAR WAIUANUEUE ST.

Facing on Court House and Hilo Hotel
Parks. A quiet, pleasant retreat.
Terms Reasonable.

C. F. BRADSHAW

Proprietor.

LEGAL NOTICES.

In the Circuit Court of the Fourth Circuit,
Territory of Hawaii.

AT CHAMBERS—IN PROBATE.

In the matter of the Estate of ANTONIO
DE REGO of Papaikou, Hawaii, de-
ceased.

PETITION FOR LETTERS OF AD-
MINISTRATION.

The petition of M. S. Pacheco, brother
in law of deceased, having been filed
praying for Letters of Administration to
be issued to Joaquin Carvalho as Admin-
istrator of said Estate.

Notice is hereby given that Tuesday,
the 26th day of September, 1905, at 10
o'clock a. m., he and hereby is appointed
the time for hearing said petition in the
Court Room of the Fourth Circuit Court
at Hilo, Hawaii, at which time and place
all persons interested may appear and
show cause, if any they have, why the
prayer of said petition should not be
granted.

Hilo, Hawaii, Aug. 29th, 1905.

By the Court:
A. S. LEBARON GURNEY, Clerk.

By Chas. Hitchcock, Deputy Clerk.
CARL S. SMITH,
Attorney for Petitioner. 45-3

Guardian's Sale of Real Estate.

In accordance with an order of sale
made on August 17th, 1905, by the Hon-
orable Charles F. Parsons, Judge of the
Circuit Court of the Fourth Circuit, sit-
ting in Chambers, in the matter of the
Estate of Annie T. K. Parker, a minor,
whereby Alfred W. Carter, Guardian of
the property of the said minor, was em-
powered to sell the real estate described
below, I hereby give notice that I shall
offer the said real estate for sale to the
highest and best bidder therefor on
Thursday, the 7th day of September, A.
D. 1905, at the mauka door of the Circuit
Court House in South Hilo, Fourth Cir-
cuit, Territory of Hawaii, at 12 o'clock
noon of the said date. At the said sale
no bid for the said property under the
sum of \$124,000.00 will be considered.
(Signed) A. S. LEBARON GURNEY,
Commissioner.

The property referred to above is all
situated within the District of Hamakua,
Island and Territory of Hawaii, and con-
sists of the following:

1. Land contained in Grant 3142 to J.
P. Parker in Kahoiki, Hamakua, area,
125 acres.
2. The land in Paauhau, Weha, Maka-
kuolo, Keahua, and Kalopa, within the
boundaries of the lease of J. P. Parker
and S. Parker to W. G. Irwin & Com-
pany, dated July 1, 1886, of record in
liber 101, page 175; total area, 1074.50
acres.
3. The lands of Weha, Makakuolo
and Keahua, adjoining the land before
described; area, 745.1 acres.
4. One-half interest in the Kalopa
Crown Land held under lease known as
General Lease 101, on file in Public
Lands Office, expiring July 1, 1916; area,
1005.6 acres.
5. The land in Kalopa described in
L. C. A. 8408 to Kulea, 10 acres.

Flower and Vegetable Seeds.

The Cox Seed Company of San Fran-
cisco have appointed the undersigned as
their local agent. Orders for seeds,
bulbs and plants solicited. Catalogues
and prices furnished on request.

ROBERT INNES LILLIE,
Hilo.

Notice.

The annual meeting of the stockholders
of the SERRAO LIQUOR CO., LTD.,
will be held at Serrao's Hall, Bridge St.,
on the evening of Sept. 11th, 1905, at 7
p. m., for the election of officers and for
the presentation of accounts. By order
of President.

WM. FERNANDES,
Secretary.

Hilo, Aug. 21st, 1905. 43-3

"ROGER"

The thoroughbred Jersey bull,
formerly owned by John McTaggart,
will be permanently located at the
old Kilauea stables, near the Hawaii
Mill. For further particulars, apply to
JIM MORRIS.

Notice.

C. Ahana & Co. has closed its business
and asks all creditors of the firm to pre-
sent their bills within thirty days from
date. All persons owing the firm will be
please call and settle immediately.

C. AHANA & CO.
Hilo, Aug. 15, 1905. 42-4

For Sale.

Part Jersey cow at reasonable figure.
Inquire of

J. CASTLE RIDGWAY.

CLAIM THEY ARE DISCRIMINATED AGAINST

Can Circuit Judges Naturalize.

The Japanese press and other Japanese leaders are much exercised over the enforcement by Sheriff Keolanui of Act 46, passed by the last legislature, regulating the business of farriers and horseshoers. This provides among other things that all persons seeking to engage in the horseshoeing business shall be examined as to their qualifications and upon the payment of five dollars for license fee, shall be entitled to receive a license to act as a farrier or horseshoer.

It is stated by the Japanese that out of fifteen of their countrymen examined by the examining board not one has been passed. The examining board consists of Sheriff Keolanui, John O'Rourke and Kealohe Kelikahe. When inquiry was made of Mr. O'Rourke, who is in charge of the Volcano Stables horseshoeing shop, he stated to a TRIBUNE representative: "There is no discrimination whatever against the Japanese. The trouble is that so few of the Japanese who profess to know how to shoe a horse are familiar with the first principles of the work. Few persons realize the importance of shoeing horses in a proper manner. It is an art, and to be scientifically done a farrier ought to be familiar with the anatomy of a horse's hoof and leg. I have seen many a fine animal ruined by lack of knowledge in shoeing."

"The examination we are giving these applicants for licenses is very simple and any practical horseshoer ought to have no difficulty in coming up to the requirements. The test given is to make a pair of shoes from a straight bar of iron and fit them to a horse. I believe some Japanese have satisfactorily performed this test before the other members of the examining committee, but out of the eight or nine who have been before me, none have shown their ability to turn out a decent pair of horse shoes within any reasonable length of time. One fellow took all the afternoon to make a single pair of shoes. Others took anywhere from twenty minutes to an hour, but were unable to prepare an animal's foot properly for receiving the shoes. There are plenty of white men who do understand the principle of horseshoeing and who would be unable to pass as simple an examination as we are giving. There is no discrimination against any person because of his color or race. But we want to satisfy ourselves that a person who seeks to become a horseshoer understands his business."

Mr. O'Rourke had on a bench the result of each applicant's handiwork. Each pair of horseshoes was tagged, bearing the name of the person and the length of time occupied in making the shoes. There were shoes of every conceivable shape and weight. No pair were mates or matched as to style or weight. Either they were lop-sided, had a rough surface, tooed in, tooed out, were over weight, undersized, irregular in shape or the nail holes so large that the shoes would not stay on the hoof. Nearly all of the candidates had taken too long either in the manufacture of the shoes or in the preparation of the animals' feet. Most of the Japanese artisans use ready made shoes, which either hit or miss and have the same effect on a horse that bad fitting shoes have on a human being. To show how quickly and deftly a shoe could be made, Mr. O'Rourke, who is an expert farrier, having received his training in London, proceeded to make a finished shoe out of the raw material. He took just a minute and a half by the clock to turn out a finished shoe ready for use. None of the bunch of samples submitted by the Japanese students resembled Mr. O'Rourke's shoe, except in general appearance and shape.

The law which is being enforced by Sheriff Keolanui and which has caused such an uproar from the Japs, is as follows:

- Section 1. No person shall engage in the business of a horseshoer or a farrier for hire without first having a license so to do as provided herein.
- Section 2. Any person who may wish to obtain a horseshoer's or farrier's license shall make a written application therefor to the Treasurer, wherein shall be stated the residence of applicant, his age, the length of time and the place where the applicant has carried on his trade and the place where he intends to carry on his trade.
- Section 3. Before such application is granted the High Sheriff, or any Sheriff of the Territory, shall examine the applicant to determine whether he is a suitable person to carry on the trade of a horseshoer and farrier for hire, and on it being shown to the said High Sheriff or Sheriff that such applicant is a suitable person to engage in such trade, the fact shall be attested on said application by the examining High Sheriff or Sheriff.
- Section 4. The license fee of farriers shall be five dollars per annum and payable to the Treasurer.
- Section 5. Whoever shall violate the provisions of this Act shall be guilty of a misdemeanor, and, on conviction, be fined not more than fifty dollars.
- Section 6. This law shall take effect on the date of its approval.

Approved April 18, 1905.

Registered at Volcano House.

Mrs. E. N. Hitchcock and daughter, Miss Kulei Hapai, J. A. Doyle, Honolulu; Captain Topley, Engineer Nicholson, Mrs. E. D. Baldwin, R. W. Breckons, E. R. Hendry, Honolulu; Jett R. Nash, Cheyenne, Wyoming; Miss Hamlin, Miss Le Van, Los Angeles; G. J. Waller, wife and family, Honolulu; Mr. and Mrs. C. K. Maguire, Hilo; W. G. Asche, Pahala; W. G. Cooper and wife, Honolulu; J. N. Gere, Pahala; Dr. John J. Grace, Hilo; Mrs. K. W. Cooper, C. J. Cooper, Honolulu. Weather—Beautifully clear and warm. Occasional light rains. The activity in the Kilauea crater continues to be a brilliant spectacle every evening.

Hawaiian Fisherman Drowned.

Since Saturday afternoon, a native fisherman by the name of Kalua-halawa has been missing from his home near Hakalau. He left early in the afternoon for the beach with fishing tackle and a bag to gather opihii, a shell fish that grows on the rocks. He did not return at night, whereupon a search was instituted, without finding the missing man. His fishing pole was discovered on the beach and it is supposed that he was washed from the rocks and overcome by the heavy surf which runs along the Hakalau coast. He was married, leaving a wife, who resides near Hakalau.

Yellow Fever Increases.

New Orleans, La., Aug. 30.—There are forty-two new yellow fever cases reported today with three deaths.

Trolley Car Accident.

Los Angeles, Cal., Aug. 29.—An electric car upset on a steep grade in this city today. One person was killed and eleven injured.

China Buys Railroad.

New York, N. Y., Aug. 29.—The Canton-Hankow Railroad has been resold to China. The price paid was \$6,750,000.

The question of the legal powers of circuit judges to naturalize applicants for American citizenship has been raised in the Kaisu murder case before Judge Parsons of Honokaa, and it will probably be taken to the Supreme Court. C. S. Smith, attorney for the defendant, has challenged the indictment on the ground that the Grand Jurors who found it were not citizens. A number of them are Portuguese who were naturalized in Territorial circuit courts, and there is reported to be considerable indignation among the Portuguese over the claim that their citizenship is not genuine.

Kaisu is up for trial under accusation of a very brutal crime. He is alleged to have killed one Moriama by beating in his skull with a hatchet. The crime as alleged was so atrocious that the authorities refused to accept a plea of guilty of murder in the second degree, and Deputy Attorney General Prosser, who returned on the Kinau last Wednesday from Honolulu in order to attend the hearing, which was resumed on Thursday.

Attorney Smith's motion raises a question which has been before all the circuit judges and before United States Judge Dole, but has never been adjudicated. Circuit Judge Gear held that as a circuit judge he had no right to naturalize applicants for citizenship, while Judges De Colt and Robinson have held the other way and sworn in a number of citizens. Judge Matthewman held with Gear and refused to make citizens.

The matter came before Judge Dole in the shape of an application for naturalization by Judge Clark, District Magistrate at Kailua, who had been sworn as a citizen by one of the circuit judges. Dole did not make any legal ruling, but he declined to naturalize the applicant over again, as this would have been practically a ruling that the other naturalization was invalid. At the same time the judge stated that he was not considered as deciding the matter, it not having been brought before him for decision.

Judge Parsons has not given his decision yet, desiring first to give the questions involved a more thorough investigation after his return to Hilo. It will therefore be several weeks before his decision is made public. There is much speculation as to the result of Parsons' ruling to sustain the contention of Attorney Smith, for in the opinion of many lawyers, a reversal of all acts of naturalization of circuit judges will be far reaching in its effect. The recent election and the right of members of the legislature to enact laws might be invalidated, as well as all legislative enactments. The disqualifying of so many voters, who were naturalized by circuit judges, would undoubtedly make a difference in the returns of the election of a Delegate to Congress. The Honokaa murder case, if appealed, will serve to bring the question before the Territorial supreme court for decision.

Peace Obtained at Last.

Portsmouth, N. H., Aug. 29.—The Japanese peace plenipotentiaries have accepted the Russian ultimatum, refusing to consider the payment of an indemnity.

Portsmouth, N. H., Aug. 29.—In the conclusion of the peace conference the division of Sakhalien is arranged without payment for redemption. The Japanese also yield the interned Russian warships. A limitation of Russian naval powers in the Far East is agreed on and an armistice is being arranged.

Portsmouth, N. H., Aug. 29.—It is rumored that there is a secret agreement behind the public announcement that Russian Peace Plenipotentiary de Witte is pleased with the outcome of the peace conference. President Roosevelt is glad that his efforts to bring about an understanding have proved successful.

Peace Treaty Being Drafted.

Portsmouth, N. H., Aug. 30.—It is not expected that the Peace Envoys will meet again until the peace treaty is ready for signature. The armistice is not yet arranged. The treaty is being prepared by Martens and Denison, representing Russia and Japan respectively.

Latest Sugar Quotations.

San Francisco, Cal., Aug. 30.—96° Test Centrifugals, 4c; per ton, \$80.00. 88° analysis beets, 8s 8¼; per ton, \$77.20.

President Roosevelt Gets Credit.

Berlin, August 29.—The credit is given to President Roosevelt here for the result of the conference. It is considered a moral victory for Japan and a diplomatic triumph for Russia.

Portsmouth, August, 29.—The details of the treaty will be completed this week. There is great rejoicing at the unexpected denouement.

London, August 29.—Japan's magnanimity is praised here.

Oyster Bay, Aug. 30.—President Roosevelt has today received telegrams of congratulation on his success in acting as mediator between Russia and Japan. The words of Praise have come from the Pope, King Edward, the Kaiser, and many others of world-wide prominence.

Must Explain Bennington Disaster.

Washington, D. C., Aug. 30.—Secretary of the Navy Bonaparte says that Captain Lucien Young and Ensign Wade must appear before a court-martial to answer for the Bennington disaster.

Hurricane Sweeps Korean Straits.

Nagasaki, Japan, Aug. 29.—It is reported here that 100 fishing boats have been caught in a hurricane in the Korean channel and that 400 fishermen are missing.

Record Breaker For Swimming.

Leeds, England, August 28.—B. B. Kiernan, the Australian swimmer, broke the world's record today, swimming 500 yards in six minutes 7 1-5 seconds.

Cholera Rages in Philippines.

Manila, P. I., Aug. 29.—Eleven new cases of cholera were reported today among the natives. Total deaths to date are 25.

Kuropatkin May Have Resigned.

Moji, August 28.—It is reported here that General Kuropatkin is ill and has resigned.